

CA1 YB
B37

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE SENATE OF CANADA

BILL F⁵.

An Act to incorporate The Western Gospel Mission.

Read a first time, Tuesday, 14th February, 1956.

Honourable Senator BEAUBIEN.

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Preamble,

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

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Incorporation.

1. Bernard Dueck Reimer, clergyman, Ernest Ralph Goossen, solicitor, and Gordon Jacob Barkman, solicitor, all of the town of Steinbach, in the province of Manitoba, are hereby incorporated under the name of The Western Gospel Mission hereinafter called "the Corporation", for the purposes set out in this Act and for the purpose of administering the property, business and other temporal affairs of the Corporation.

Corporate name.

Directors.

2. The persons named in section 1 of this Act shall be the first directors of the Corporation.

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Head office,

3. (1) The head office of the Corporation shall be in the town of Steinbach, in the province of Manitoba, or at such other place as may be decided by the Corporation.

Notice of change.

(2) Notice in writing shall be given to the Secretary of State by the Corporation of any change of the head office 20 and such notice shall be published forthwith in the *Canada Gazette*.

Objects.

4. The objects of the Corporation shall be,
(a) to promote, maintain, superintend and carry on in accordance with the faith, doctrines, constitution, acts 25 and rulings of the Corporation any or all of the work of that body;

- (b) to advance and increase the diffusion of the faith of the Corporation in all lawful ways;
- (c) to organize, maintain and carry on churches and missions and to erect and maintain and conduct therein churches, seminaries, schools, colleges, hospitals, dispensaries, orphanages and homes for the aged; 5
- (d) to promote the erection and purchase of houses of worship and parsonages;
- (e) to administer the property, business and other temporal affairs of the Corporation; 10
- (f) to establish, support and maintain a publishing house for the purpose of printing and disseminating Gospel literature for the support of the doctrines and faith of the Corporation;
- (g) to promote the spiritual welfare of all the congregations and mission fields of the Corporation. 15

Power to
make
by-laws.

- 5. The Corporation may from time to time make by-laws, not contrary to law, for
 - (a) the administration, management and control of the property, business and other temporal affairs of the Corporation; 20
 - (b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;
 - (c) the appointment or deposition of an executive committee or any special committees or boards from time to time created for the purposes of the Corporation, and defining the powers of such committees or boards; 25
 - (d) the calling of regular or special meetings of the Corporation or of the executive committee or the board of directors; 30
 - (e) fixing the necessary quorum and the procedure to be followed at all meetings referred to in the preceding paragraph;
 - (f) determining the qualifications of members; 35
 - (g) defining and applying the principles, doctrine and religious standards of the Corporation;
 - (h) generally carrying out the objects and purposes of the Corporation.

Management.

6. Subject to and in accordance with the by-laws enacted by the Corporation under section 5, an executive committee consisting of such persons as the Corporation may from time to time elect or appoint thereto shall manage all the temporal affairs of the Corporation. 40

Incidental
powers.

7. The Corporation may do all such lawful acts and things as are incidental or as may be conducive to the attainment of its objects. 45

Committees.

8. The Corporation may exercise all its powers by and through an executive committee or through such boards or committees as may from time to time be elected or appointed by the Corporation for the management of its affairs.

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Power to
acquire and
hold
property.

9. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real and personal, corporeal and incorporeal, and any or every estate or interest whatsoever, given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses and purposes of the Corporation, or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with the uses or purposes of the Corporation.

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(2) The Corporation may also hold such real property or estate therein as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

Investment
in and
disposal of
property.

10. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also from time to time, invest all or any of its funds, or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property; and for the purpose of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any Corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.

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Obligation
to dispose
of lands.

11. (1) No parcel of land or interest therein at any time acquired by the Corporation and not required for its actual use or occupation, and not held by way of security, shall be held by the Corporation, or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, but shall, at or before the expiration of such period, be absolutely sold or disposed of, so that the Corporation shall no longer retain any interest or estate therein except by way of security.

Extension
of time.

(2) The Secretary of State may extend the time for the sale or disposal of any such parcel of land, or any estate or interest therein, for a further period or periods not to exceed five years.

(3) The whole period during which the Corporation may hold any such parcel of land, or any estate or interest therein, under the foregoing provisions of this section, shall not exceed fifteen years from the date of the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the Corporation. 5

(4) Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Corporation for a longer period than authorized by the foregoing provisions of this section without being disposed of, shall be forfeited to Her Majesty for the use of Canada. 10

(5) The Corporation shall give the Secretary of State, when required, a full and correct statement of all lands, at the date of such statement, held by the Corporation, or in trust for it, and subject to the provisions of this section. 15

Application
of mortmain
laws.

12. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation. 20 25

Transfer of
property
held in
trust.

13. In so far as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes of the Corporation, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation. 30

Execution of
documents.

14. Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there is affixed thereto the seal of the Corporation and there is thereon the signature of any two officers of the Corporation duly authorized for such purpose, or of his lawful attorney. 35 40

Disposition
of property
by gift or
loan.

15. The Corporation may make a gift of or lend any of its property, whether real or personal, for or to assist in the erection or maintenance of any building or buildings deemed necessary for any church, manse, seminary, college, 45

school or hospital or for any other religious, charitable, educational, congregational or social purpose upon such terms and conditions as it may deem expedient.

Borrowing
powers.

16. (1) The Corporation may, from time to time, for the purposes of the Corporation 5

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange and every such note or bill made, drawn, accepted or endorsed by 10 the party thereto, authorized by the by-laws of the Corporation, and countersigned by the proper party thereto, authorized by the by-laws of the Corporation, shall be binding upon the Corporation and shall be presumed to have been made, drawn, accepted or 15 endorsed with proper authority until the contrary is shown, and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;
- (d) mortgage, hypothecate or pledge any property of 20 the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation;
- (e) issue bonds, debentures or other securities of the Corporation; 25
- (f) pledge or sell such bonds, debentures or other securities for such sums and at any such prices as may be deemed expedient.

Limitation.

(2) Nothing in the preceding subsection shall be construed to authorize the Corporation to issue any note or 30 bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

Investment
of funds.

17. The Corporation may invest and reinvest any of 35 its funds,

- (a) in any bonds or debentures of any municipality or public school corporation or district in Canada, or in securities of or guaranteed by the Government of Canada or of any province thereof; 40
- (b) in first mortgages on freehold property in Canada and for the purposes of the same may take mortgages or assignments thereof whether such mortgages or assignments be made directly to the Corporation in its own corporate name or to some company or person 45 in trust for it, and may sell and assign the same;

(c) in any securities in which life insurance companies are authorized from time to time by the Parliament of Canada to invest funds subject to the limitation on investments in stocks, bonds and debentures set out in the *Canadian and British Insurance Companies Act*. 5

R.S., c. 31.

Jurisdiction.

18. The Corporation may exercise its functions throughout Canada.